

03/27/2020

Montana Supreme Court

Hon. Mike McGrath, Hon. Laurie McKinnon, Hon. James Rice, Hon. Beth Baker, Hon. Jim Shea, Hon. ~~Dirk~~ Bowen Greenwood
Sandefur, Hon. Ingrid Gustafson215 N. Sanders
Helena, MT 59601CLERK OF THE SUPREME COURT
STATE OF MONTANA
Case Number: PR 20-0072

We the undersigned write to urge this Court to accept the recommendation of the Judicial Standards Commission in the pending matter against Judge Ashley Harada (PR-20-0072).

The Montana Constitution enshrines the Judicial Standards Commission (JSC) with the authority to investigate complaints against and recommend punishment for judicial officers. The JSC conducted such an investigation into the complaints made against Judge Harada. That investigation was conducted by retired Judge Ed McLean. Judge McLean not only served Montana as a District Court judge for more than 25 years but is also the former Chairman of the JSC. Having reviewed documents, interviewed witnesses and deliberated on this matter, Judge McLean and the JSC determined that a public censure of Judge Harada was an appropriate disposition for her violations.

The complainants and several Billings attorneys are now actively soliciting other attorneys from across Montana to join their cause and appeal directly to this Court to remove Judge Harada from the bench despite the recommendations of Judge McLean and the JSC.

The complainants in this matter were all passionate supporters and financial contributors of Juli Pierce, Judge Harada's opponent in 2018. One of the lead organizers of this effort, Billings attorney Gene Jarussi, even contributed \$5,000 to an outside group that conducted \$20,000 in independent expenditures on Ms. Pierce's behalf.

Unable to win at the polls, they took their battle to the JSC. Dissatisfied with the outcome recommend by the JSC, they are now attempting to use their power and influence to bully and intimidate this Court into removing Judge Harada.

The complainants and other attorneys that have weighed in are essentially arguing that their own judgment should supersede that of the voters of Yellowstone County, Judge McLean, the members of the Judicial Standards Commission and this Court.

Our constitutionally established process for resolving judicial complaints is meant to avoid these exact situations. To maintain public faith in our judiciary and the constitutional process for resolving these complaints, we urge this Court to stand up to these unprecedented attempts to interfere with the process and accept the recommendation of the Judicial Standards Commission.

Sincerely,

Representative Frank Fleming	David Arthur	Jacob Eaton
Representative Rhonda Knudsen	Scott Aspenlieder	Jeff Essmann
Representative Mark Noland	Gregory Birdsong, Esq.	Rusty Gackle
Representative Barry Usher	Roy Brown	Tiffany Gackle
Representative Sue Vinton	Kim Brown	Emily Jones
Representative Peggy Webb	Brian Cebull	Colin Nygaard
Senator Cary Smith	Richard Cebull	Jim Patelis
Senator Fred Thomas	Peter Damrow	
Senator Roger Webb	Talia Damrow	